

Application Serial No. 10/647,650  
Request for Continued Examination filed January 3, 2008  
Reply to final Office Action mailed November 1, 2007

## REMARKS

Claims 1-12 are pending and under consideration. Claims 1, 3 and 5-8 are amended herein. Support for the amendments to the claims may be found in the specification at page 14, lines 25-37, continuing at page 15, lines 1-30, and page 16, lines 33-37, continuing at page 17, lines 1-37, continuing further at page 18, lines 1-22, and in Fig. 4. Reconsideration is requested based on the foregoing amendments and the following remarks.

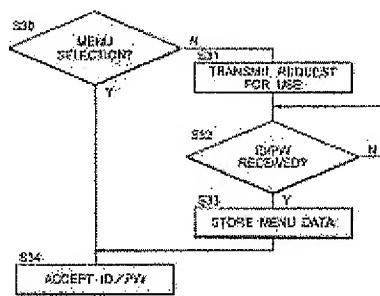
### Response to Arguments:

The Applicants appreciate the consideration given to their arguments. The Applicants, however, are disappointed that their arguments were not found to be persuasive.

The final Office Action asserts in section 5, at page 7, lines 3-7, that:

The user ID and password (PW) must be entered before a menu for accessing the request contents service "only" when the portable terminal requested the content service for the very first time (i.e., menu selection = N). If the "menu selection = Y", the portable terminal is authenticated and content service is provided to the portable terminal (see Fig. 5).

This is submitted to be incorrect. In Nitaki, as shown in the portion of Fig. 5 reproduced below, step S34, in which the input of the ID and PW is accepted according to the menu screen for accessing the relevant contents service, happens whether the access request screen is selected at step S30 (step S30: Y) or not (step S30: N).



Thus, in Nitaki, the user ID and password (PW) must be entered before accessing the contents service in any case, not "only" when the portable terminal requested the content service for the very first time (i.e., menu selection = N), contrary to the assertion the final Office Action.

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Furthermore, in Nitaki, the user ID and password (PW) must be input at the menu screen before accessing the contents service. In particular, as described in Nitaki at paragraph [0111]:

When the access request screen is selected at step S30 (step S30: Y) or after a request for use is transmitted at step S31 to register a new menu screen, the input of the ID and PW is accepted according to the menu screen for accessing the relevant contents service (step S34). Thereafter, a request for use consisting of the ID and PW accepted at step S34 is transmitted to the gateway 22 at step S35. At step S36, reception of contents data associated with the request for use is monitored (step S36).

Thus, in Nitaki, the user ID and password (PW) must be input at the menu screen before accessing the contents service. This is to be contrasted with the claimed invention, in which "the menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone."

The final Office Action asserts in section 5, at page 7, lines 7 and 8, that:

Thus, contents data are provided directly to the portable terminal from the provider via gateway 22.

Since, as noted in the final Office Action, the contents data in Nitaki are provided *via* gateway 22, Nitaki is not "providing the requested content service directly from the content provider to the user's portable telephone," as recited in, for example, claim 1.

In Nitaki, rather, the gateway 22 only downloads contents data from the contents server 21 to the portable terminal 20 *after* a valid access request, i.e. the user ID and password (PW), is received from the portable terminal 20, rather than "providing the requested content service directly from the content provider to the user's portable telephone," as recited in, for example, claim 1. In particular, as described in Nitaki at paragraph [0113]:

When an access request is received from the portable terminal 20 and the access request is valid, the gateway 22 downloads contents data from the contents server 21 and transfers the contents data to the portable terminal 20.  
The gateway 22 will now be described.

Thus, in Nitaki, the gateway 22 only downloads contents data from the contents server 21 to the portable terminal 20 after a valid access request, i.e. the user ID and password (PW), is received from the portable terminal 20. This is to be contrasted with the claimed invention, in which "the menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone."

The final Office Action asserts in section 5, at page 7, lines 15-18, that:

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While, authentication process in Nitaki implemented in the service provider network. Thus, having the authentication process handle by a different network would not change the principle of the operation since the requested subscriber still required to go through a authentication process in order to receive services.

The final Office Action, however, is not simply proposing to modify Hiromoto by having the authentication process handled by a different network. The final Office Action, rather, acknowledges in section 2, at page 3, lines 2, 3, and 4, that:

Hiromoto does not clearly teach a regular menu including contents, which will be available after a registration and the menu registration identifier allows providing requested content service directly from the content provider to the user's portable telephone.

Thus, in order to compensate for the deficiency acknowledged in the final Office Action, Hiromoto must be modified to include "a regular menu including contents, which will be available after a registration and the menu registration identifier allows providing requested content service directly from the content provider to the user's portable telephone," as well. Hiromoto, however, intends to perform an authentication information read-out demand to accumulate the subscriber information. In particular, as described at paragraph [0005]:

An authentication information read-out demand is performed to the location register which is accumulating the subscriber information on a migration machine from the subscriber's number of the migration machine contained in said location registration demand signal.

Modifying Hiromoto as proposed in the final Office Action, on the other hand, to compensate for the lack of "a regular menu including contents, which will be available after a registration and the menu registration identifier allows providing requested content service directly from the content provider to the user's portable telephone," noted in the final Office Action, would change the principle of operation of Hiromoto, since Hiromoto would no longer perform an authentication information read-out demand to accumulate the subscriber information. Further reconsideration is thus requested.

#### **Claim Rejections - 35 U.S.C. § 103:**

Claims 1-2 and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP 2000-333258 to Hiromoto (hereinafter "Hiromoto") in view of U.S. Patent Pub. No. 2001/0005890 to Nitaki (hereinafter "Nitaki") and further in view of U.S. Patent No. 6,957,199 to Fisher (hereinafter "Fisher"). The rejection is traversed to the extent it might apply to the claims as amended. Reconsideration is requested.

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In the claimed invention, the content provider receives a content requesting signal directly from the mobile phone, as indicated by operations ST2 through ST93 in Fig. 4. The content provider acquires a menu registration identification from a communication carrier when the content requesting signal does not include the menu registration identification, as indicated by operations ST4 through ST11 in Fig. 4). Finally, the content provider provides a content service requested by the user, as indicated by operation ST12 in Fig. 4).

The second and third clauses of claim 1, in particular, recite:

Receiving a content-requesting signal directly from a user's portable telephone; acquiring a menu registration identifier from the communication carrier when the content-requesting signal does not include the menu registration identifier.

Neither Hiromoto, Nitaki nor Fisher teach, disclose, or suggest, "receiving a content-requesting signal directly from a user's portable telephone," and "acquiring a menu registration identifier from the communication carrier when the content-requesting signal does not include the menu registration identifier," as recited in claim 1. In Hiromoto, rather, an information menu allowing a user to select unilaterally and statically from an Internet Provider is provided. The information menu includes items that are unnecessary for the user. Thus, Hiromoto provides the user with a personalized information menu. This personalized information menu corresponds to the 'my menu' described as the conventional technology in the present invention.

IMC 15 of Hiromoto, to which the final Office Action analogizes the recited content service, however, does not receive the content requesting signal directly from the mobile phone. IMC 15 of Hiromoto, moreover, does not acquire the menu registration identification from another server after receiving the content requesting signal.

Thus, while Hiromoto describes the 'my menu' provided to a mobile phone of the user, Hiromoto does not disclose or suggest any process conducted after a content provider is selected from the my menu, let alone "acquiring a menu registration identifier from the communication carrier when the content-requesting signal does not include the menu registration identifier," as recited in claim 1.

Normally, a content provider sends content to the user's portable telephone, but the bill for the content, including charges for the content sent by the content provider, is sent to the user from the communications carrier, i.e. a proxy payment service. Thus, the communication carrier needs to know which content was accessed by the user, in order to bill the user. In order to keep track of which content was accessed by the user, the communication carrier requires the user to register with its own user menu information database as well. In particular, as described

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in the present specification at page 5, lines 2-14:

In this manner, the user can enjoy one-window payment through the proxy payment service, which is more convenient than the case where a credit card is used, with an added advantage that uneasiness and various problems are avoidable. However, since the billable content services for which the user can use the proxy payment service are limited to the content services registered in the communications carrier's content provider menu information database 25, a payment from a user to a content provider has to be directly made for billable content services that are not registered.

However, in the conventional method, if the user sets up a "my," or personal, menu, and accesses the content of the content provider through the "my" menu, the content provider will be unable to recognize whether or not the access of the user comes through the "my" menu. To avoid missing the access, content providers require the user to register in order to access the content as well, as described in the specification at page 5, lines 24-33.

In the claimed invention, in contrast, the menu registration identifier allows the content provider to provide content to the user's portable phone without a separate registration process for the content. The menu registration identifier thus renders such a separate authentication process unnecessary. Therefore, it is possible to improve operability and ease of access to the content of the content provider, by dispensing with separate registration steps.

The sixth clause of claim 1, in particular, recites,

The menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone.

Neither Hiromoto, Nitaki nor Fisher teach, disclose, or suggest, "the menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone," as recited in claim 1. In Hiromoto, rather, the information menu center holds the contract information about information offered to a user, as noted astutely in section 2 at page 2 of the final Office Action. Since, in Hiromoto, the information menu center holds the contract information about information offered to a user, the content provider is registering the user separately, as discussed above, and so Hiromoto is not "providing the requested content service directly from the content provider to the user's portable telephone," as recited in claim 1.

Similarly, in Nitaki, gateway 22 assigns a user ID and a password to the user the first time it receives an access request from the portable terminal 20, and transmits them to the portable terminal 20. In particular, as described in the Abstract:

When the gateway 22 receives the first request for access from the portable

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terminal 20, it assigns a user ID and a password to the same and transmits them to the portable terminal 20. When another request for use added with the same ID and PW is received, the gateway 22 generates access history information after authenticating the user and grants an access right during a predetermined effective period from the date of the first access.

Since, in Nitaki, gateway 22 assigns a user ID and a password to the user, the content provider is registering the user separately, as discussed above, and so Nataki is not "providing the requested content service directly from the content provider to the user's portable telephone," as recited in claim 1.

The final Office Action acknowledges graciously in section 2, at the top of page 3, that:

Hiromoto does not clearly teach a regular menu including contents, which will be available after our registration and the menu registration identifier allows providing requested content service directly from the content provider to the user's portable telephone.

The final Office Action attempts to compensate for this deficiency of Hiromoto by combining Hiromoto with Nitaki. Modifying Hiromoto as proposed in the final Office Action, however, would render Hiromoto unsuitable for its intended purpose in violation of M.P.E.P. § 2143.01. In particular, as provided therein:

If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

Here, Hiromoto performs an authentication information read-out demand to accumulate the subscriber information. In particular, as described at paragraph [0005]:

An authentication information read-out demand is performed to the location register which is accumulating the subscriber information on a migration machine from the subscriber's number of the migration machine contained in said location registration demand signal.

Modifying Hiromoto as proposed in the final Office Action, on the other hand, so that "the menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone," as recited in claim 1, would render Hiromoto unsuitable for its intended purpose, since Hiromoto would no longer perform an authentication information read-out demand to accumulate the subscriber information. Since modifying Hiromoto as proposed in the final Office Action would render Hiromoto unsuitable for its intended purpose, there is no suggestion or motivation to make the proposed modification. *In re Gordon*.

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Modifying Hiromoto as proposed in the final Office Action, moreover, would also change the principle of operation of Hiromoto in violation of M.P.E.P. § 2143.01. In particular, as provided therein:

If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).

Here, Hiromoto recognizes that the migration machine is a candidate for data utility by looking to see if the data utility status signal shows that the exchange which acquired the authentication information is the subscriber of the communications service included in the authentication information. In particular, as described at paragraph [0005]:

Recognize that said migration machine is a candidate for data utility with the data utility status signal which shows that the exchange which acquired said authentication information is the subscriber of the communications service included in said authentication information, and processing for authentication is performed between migration machines.

Modifying Hiromoto as proposed in the final Office Action, on the other hand, so that "the menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone," as recited in claim 1, would change the principle of operation of Hiromoto, since Hiromoto would no longer recognize that the migration machine is a candidate for data utility if the data utility status signal shows that the exchange which acquired the authentication information is the subscriber of the communications service included in said authentication information. Since modifying Hiromoto as proposed in the final Office Action would change the principle of operation of Hiromoto, the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*.

Fisher mentions no "menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone," at all, and thus cannot make up for the deficiencies of either Hiromoto or Nitaki with respect to claim 1.

In the claimed invention, as shown in Fig. 4, the portable telephone 11 sends a request to the content provider 19 directly. The content provider 19, in turn, sends contents back to the portable telephone 11 directly, as discussed above and described from page 15, line 12 to page 16, line 20 of the specification. In the claimed invention, therefore, a separate authentication process is rendered unnecessary. The sixth clause of claim 1, in particular, recites:

And renders a separate authentication process unnecessary.

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Neither Hiromoto nor Nitaki teach, disclose, or suggest "and renders a separate authentication process unnecessary," as recited in claim 1. The final Office Action attempts to compensate for this deficiency of Hiromoto and Nitaki by combining them with Fisher, saying in section 2, in the third full paragraph at page 3, that:

However, Fischer teaches an authentication process for transactions that do not utilize separate authentication for registered users to eliminate an overhead authentication process (abstract; column 40 lines 43-52).

This is submitted to be incorrect. Fischer, to the contrary, cannot realize the above described process flow, let alone render "a separate authentication process unnecessary," as recited in claim 1. In the business method of Fisher, rather, as shown in Figs. 7 and 8, business 1 and business 2 always trade with each other through the PAMS system 100. Business 1 and business 2 are thus guaranteed to authenticate each other by passing through the PAMS system 100.

In Fisher, moreover, a group of authenticated users are connected under the *persistent* mediation of the on-line authentication service. In Fisher, therefore, the authentication state of each user is being audited *persistently* to make sure the user is authenticated. Thus, far from rendering a separate authentication unnecessary, Fisher actually authenticates persistently. In particular, as described in the Abstract:

A service according to the invention is a persistent authentication and mediation service (PAMS) which is provided as an on-line service. One embodiment is a method for conducting authenticated business transactions involving microprocessor equipped devices over the Internet comprising: A. providing an on-line authentication service available on the distributed network; B. authenticating a plurality of users to said on-line authentication service using a closed authentication system to produce a plurality of authenticated users; and C. connecting a group of at least two of said plurality of authenticated users under persistent mediation of said on-line authentication service, producing a connected group of authenticated users.

Since, in Fisher, the authentication state of each user is being audited persistently to make sure it is valid, Fisher does not render "a separate authentication process unnecessary," as recited in claim 1.

The persistent authentication and mediation service (PAMS) of Fisher, moreover, monitors all of the interactions between authenticated users and compiles an audit trail. In Fisher, therefore, the authentication state of each user is being audited *constantly*, to make sure it is valid. In particular, as described at column 4, lines 57-67, continuing at column 5, lines 1, 2,

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and 3:

The invention pertains to a persistent authentication and mediation service (PAMS) which is provided as an on-line service on a public distributed network such as the Internet. As used herein, a PAMS is an online service provided over the network which is capable of authenticating groups of two or more users to each other by authenticating each user to the PAMS and connecting the authenticated users to each other under persistent mediation of the PAMS. Authentication refers to the processes of a first entity proving its identity to one or more other entities over the network. Mediation refers to the fact that communications between authenticated users pass through the PAMS giving the PAMS the capability to monitor the interaction and compile an audit trail.

Since, in Fisher, the persistent authentication and mediation service constantly monitors all of the interactions between authenticated users and compiles an audit trail, Fisher does not render "a separate authentication process unnecessary," as recited in claim 1.

The interactions of Fisher, moreover, remain mediated during the entire interaction under the PAMS. In Fisher, therefore, the authentication state of each user is being audited *constantly*, to make sure it is valid. In particular, as described at column 5, lines 4-10:

Persistent refers to the fact that interaction remains mediated during the entire interaction under the PAMS, and messages persist until delivered. Persistent messaging is based on asynchronous communication. The audit trail is compiled by monitoring mediated messages and saving pre-selected or user selectable messages for permanent storage and retrieval. The content of messages may be stored and retrieved.

Since, in Fisher, the interactions remain mediated during the entire interaction under the PAMS, Fisher does not render "a separate authentication process unnecessary," as recited in claim 1.

Finally, in Fisher, the business itself does not need the overhead of a separate authentication mechanism in *addition* to the persistent mediation and authentication provided by the PAMS, because of the PAMS's assurance that they are dealing with an authentic business. In particular, as described at column 40, lines 43-52:

Although a business may be unfamiliar to another business, they are willing to trade with unfamiliar partners because of the PAMS's assurance that they are dealing with an authentic business, with known characteristics. Once a business logs onto the PAMS, it becomes part of an integrated community. Businesses of Type A, B or C can assume that anyone accessing their sites/applications has already be authorized by the PAMS, therefore, the business itself does not need the overhead of a separate authentication mechanism.

Since, in Fisher, the PAMS assures participants that they are dealing with an authentic business by monitoring the interactions persistently and compiling an audit trail, Fisher does not render "a

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separate authentication process unnecessary," as recited in claim 1. Thus, even if Hiromoto, Nitaki, and Fisher were combined as proposed in the final Office Action, the claimed invention would not result. Claim 1 is submitted to be allowable. Withdrawal of the rejection of claim 1 is earnestly solicited.

Claims 2 and 12 depend from claim 1 and add further distinguishing elements. Claims 2 and 12 are also submitted to be allowable. Withdrawal of the rejection of claims 2 and 12 is earnestly solicited.

Claims 5, 7, and 11:

Claims 5, 7, and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hiromoto in view of Nitaki.

The second and fourth clauses of claim 5 recite:

Receiving a content-requesting signal transmitted by a user's portable telephone directly from the user's portable telephone,  
acquiring the menu registration identifier from the communication carrier when the content-requesting signal does not include the menu registration identifier.

Neither Hiromoto nor Nitaki teach, disclose, or suggest, "receiving a content-requesting signal transmitted by a user's portable telephone directly from the user's portable telephone," and "acquiring the menu registration identifier from the communication carrier when the content-requesting signal does not include the menu registration identifier," as discussed above with respect to the rejection of claim 1. Thus, even if Hiromoto and Nitaki were combined as proposed in the final Office Action, the claimed invention would not result.

The eighth clause of claim 5 recites,

The menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone.

Neither Hiromoto nor Nitaki teach, disclose, or suggest, "the menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone," as discussed above with respect to the rejection of claim 1. Thus, even if Hiromoto and Nitaki were combined as proposed in the final Office Action, the claimed invention would not result. Claim 5 is also submitted to be allowable, for at least those reasons discussed above with respect to the rejection of claim 1. Withdrawal of the rejection of claim 5 is earnestly solicited.

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Claim 7:

The seventh clause of claim 7 recites,

The menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone.

Neither Hiromoto nor Nitaki teach, disclose, or suggest, "the menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone," as discussed above with respect to the rejection of claim 1. Thus, even if Hiromoto and Nitaki were combined as proposed in the final Office Action, the claimed invention would not result. Claim 7 is also submitted to be allowable, for at least those reasons discussed above with respect to the rejection of claim 1. Withdrawal of the rejection of claim 7 is earnestly solicited.

Claim 11:

The fourth clause of claim 11 recites,

The menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone.

Neither Hiromoto nor Nitaki teach, disclose, or suggest, "the menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone," as discussed above with respect to the rejection of claim 1. Thus, even if Hiromoto and Nitaki were combined as proposed in the final Office Action, the claimed invention would not result. Claim 11 is also submitted to be allowable, for at least those reasons discussed above with respect to the rejection of claim 1. Withdrawal of the rejection of claim 11 is earnestly solicited.

Claims 3, 4, 6, and 8-11:

Claims 3, 4, 6, and 8-11 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nitaki in view of Hiromoto. The rejection is traversed. Reconsideration is requested.

In the claimed invention, the communication carrier receives an acquisition request of the menu registration identification from the content provider, as indicated by operation ST4 in Fig. 4. The communication carrier generates the menu registration identifier of the user by displaying a registration screen at the mobile phone of the user and registering the user, as indicated by operations ST6 through ST10 in Fig. 4. Finally, the communication carrier informs the content provider of the menu registration identifier of the user, as indicated by operation ST 11 of Fig. 4.

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The third, fourth, and fifth clauses of claim 3, in particular, recite:

Generating the menu registration identifier by displaying a registration screen letting a user of a portable telephone register in the user menu information database in response to the acquisition request of the menu registration identifier; adding the menu registration identifier to a content-requesting signal, which content-requesting signal contains user identification information and a content identifier received from the content provider when the user completes registration, and transmitting the content-requesting signal to the content provider.

Neither Nitaki nor Hiromoto teach, disclose, or suggest "generating the menu registration identifier by displaying a registration screen letting a user of a portable telephone register in the user menu information database in response to the acquisition request of the menu registration identifier," "adding the menu registration identifier to a content-requesting signal, which content-requesting signal contains user identification information and a content identifier received from the content provider when the user completes registration," and "transmitting the content-requesting signal to the content provider," as recited in claim 3. Thus, even if Nitaki and Hiromoto were combined as proposed in the final Office Action, the claimed invention would not result.

The seventh clause of claim 3 recites,

The menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone.

Neither Nitaki nor Hiromoto teach, disclose, or suggest "the menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone," as discussed above with respect to the rejection of claim 1. Thus, even if Nitaki and Hiromoto were combined as proposed in the final Office Action, the claimed invention would not result. Claim 3 is also submitted to be allowable, for at least those reasons discussed above with respect to the rejection of claim 1. Withdrawal of the rejection of claim 3 is earnestly solicited.

Claim 4 depends from claim 3 and adds further distinguishing elements. Claim 4 is thus also submitted to be allowable. Withdrawal of the rejection of claim 4 is earnestly solicited.

Claim 6:

The second and fourth clauses of claim 6 recite:

Receiving a content-requesting signal transmitted by a user's portable telephone directly from the user's portable telephone,

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acquiring the menu registration identifier from the communication carrier when the content-requesting signal does not include the menu registration identifier.

Neither Nitaki nor Hiromoto teach, disclose, or suggest "receiving a content-requesting signal transmitted by a user's portable telephone directly from the user's portable telephone," and "acquiring the menu registration identifier from the communication carrier when the content-requesting signal does not include the menu registration identifier," as discussed above with respect to the rejection of claim 1. Thus, even if Nitaki and Hiromoto were combined as proposed in the final Office Action, the claimed invention would not result.

The third clause of claim 6 recites,

The menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone.

Neither Nitaki nor Hiromoto teach, disclose, or suggest "the menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone," as discussed above with respect to the rejection of claim 1. Thus, even if Nitaki and Hiromoto were combined as proposed in the final Office Action, the claimed invention would not result. Claim 6 is also submitted to be allowable, for at least those reasons discussed above with respect to the rejection of claim 1. Withdrawal of the rejection of claim 6 is earnestly solicited.

Claim 8:

The fifth and sixth clauses of claim 8 recite:

Generating the menu registration identifier by displaying a registration screen letting a user of a portable telephone register, in the user menu information database in response to the acquisition request of the menu registration identifier; and  
a transmitting step for adding the menu registration identifier to the content-requesting signal, which content-requesting signal contains user identification information and a content identifier received from the content provider.

Neither Nitaki nor Hiromoto teach, disclose, or suggest "generating the menu registration identifier by displaying a registration screen letting a user of a portable telephone register, in the user menu information database in response to the acquisition request of the menu registration identifier," and "adding the menu registration identifier to the content-requesting signal, which content-requesting signal contains user identification information and a content identifier received from the content provider," as discussed above with respect to the rejection of claim 3. Thus, even if Nitaki and Hiromoto were combined as proposed in the final Office Action, the

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claimed invention would not result.

The eighth clause of claim 8 recites,

The menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone.

Neither Nitaki nor Hiromoto teach, disclose, or suggest "the menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone," as discussed above with respect to the rejection of claim 1. Thus, even if Nitaki and Hiromoto were combined as proposed in the final Office Action, the claimed invention would not result. Claim 8 is also submitted to be allowable, for at least those reasons discussed above with respect to the rejection of claim 1. Withdrawal of the rejection of claim 8 is earnestly solicited.

Claims 9 and 10 depend from claim 8 and add further distinguishing elements. Claims 9 and 10 are thus also submitted to be allowable. Withdrawal of the rejection of claims 9 and 10 is earnestly solicited.

Claim 11:

Neither Nitaki nor Hiromoto teach, disclose, or suggest "the menu registration identifier allows providing the requested content service directly from the content provider to the user's portable telephone," as discussed above with respect to the rejection of claim 11 as unpatentable over Hiromoto in view of Nitaki. Thus, even if Nitaki and Hiromoto were combined as proposed in the final Office Action, the claimed invention would not result. Claim 11 is also submitted to be allowable. Withdrawal of the rejection of claim 11 is earnestly solicited.

**Conclusion:**

Accordingly, in view of the reasons given above, it is submitted that all of claims 1-12 are allowable over the cited references.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP



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